

**IN THE DRAWINGS**

Submitted herewith is a replacement drawing sheet for Figure 1 in which a reference to blocking device 19 has been added. Approval is requested.

### **REMARKS**

Claims 1-3 and 6 are rejected under 35 USC 102(b) as being anticipated by Biedermann et al. Reconsideration and withdrawal of this rejection is requested in view of the following.

Claim 1 includes the limitations of: “a screw-threaded body (16) whose external diameter d at the summit of the screw threads (17) is greater than the external diameter a of the spherical head (15).” The claim also calls for “a blocking device (19) in the form of a ring (20) and a screw-threaded socket (21) for emplacement and positioning of the connector (2) on the spherical head (15) of the anchoring screw (3).”

In the Action, the Examiner contends that Biedermann et al., teaches a screw having a spherical head **1** with a threaded body **2** and an external diameter greater than the spherical head, referencing Figure 3. However, a vertical line extending vertically from the outer diameter of the threads shown in Figure 3 either passes through spherical head **3** or is tangential thereto. This is to be contrasted with the dimensions d and a in Figure 1 wherein it is clear that d is greater than a as called for in the claim. Moreover, Biedermann’s connector **5** receives the screw **1** and is capable of moving up the shaft of the screw so that it is engaging spherical head **3**. By way of contrast, in the present invention, should be apparent from Figure 1, and the description at page 6, lines 7-19, screw **3** is not intended to, and cannot pass through the bore of connector **2**.

Rather, the present invention uses blocking device (19), specifically ring (20) and socket (21) to engage connector (2). The Examiner construes Biedermann’s pressure member **20** as a blocking device which, as Applicant noted above, is defined in the claims as a ring (20) and screw-threaded socket (21). Clearly, as best seen in Figure 2, Biedermann’s pressure member **20** is not in a ring and screw-threaded socket as disclosed and claimed by Applicant.

Due to the foregoing differences in construction, Biedermann’s device cannot be used to permit receiving an anchoring screw with a spherical head wherein the external diameter of the anchoring screw thread is greater than that of the spherical head. Since Biedermann et al. fails to disclose each of the elements of Claim 1, reconsideration and withdrawal of the rejection under 35 USC 102(b) is requested.

Claims 4-5 and 7 are rejected under 35 USC 103 as being unpatentable over Biedermann et al., in view of Marnay et al., the Examiner contending that Biedermann et al. discloses Applicant’s device excepting for a securing ring which the Examiner contends is provided by Marnay et al.’s closure piece having external thread **20** and hollow cavity **21** referred to by the

Examiner as a securing ring and a collar. It is noted that Applicant's Claims 4, 5 and 7 make no reference to a "securing ring" as specified by the Examiner in the Action. Thus, it is unclear what element of the claim the Examiner believes is met by Marnay et al. However, Marnay et al.'s closure piece 2 with external thread 20 and hollow cavity 21, while arguably similar to the smooth cylinder portion 22 referenced in Claim 4, this structure in Marnay et al. does not appear to in any way relate to the invention disclosed and claimed by Applicant. Since Marnay et al. does not provide the teachings missing from Biedermann et al., and since Claims 4-5 and 7 depend from Claim 1, Applicant submits that the combination of Biedermann et al., and Marnay et al., cannot render Claims 4-5 and 7 obvious.

In view of the foregoing, Applicant submits that the claims pending for examination, namely claims 1-9 are in condition for allowance, which early action is requested.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

#### **PETITION FOR EXTENSION OF TIME**

Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on November 10, 2005, Applicant respectfully petitions Commissioner for a three (3) month extension of time, extending the period for response to May 10, 2006. Attached is a check in the amount of \$510 to cover the petition filing fee for a 37 C.F.R. 1.17(a)(3) small entity. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated: April 28, 2006

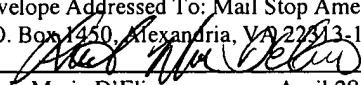
By: 

Eric S. Hyman  
Reg. No. 30,139

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(310) 207-3800

#### **CERTIFICATE OF MAILING:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class Mail, With Sufficient Postage, In An Envelope Addressed To: Mail Stop Amendments, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Linda Marie D'Elia

4-28-06  
April 28, 2006